

under Public Law 90-171 (commonly known as the Sisk Act; 16 U.S.C. 484a).

(2) **USE.**—Funds deposited pursuant to paragraph (1) shall be available to the Secretary, without further appropriation and until expended—

(A) to acquire land and interests in land for inclusion in the Chequamegon-Nicolet National Forest in Wisconsin; and

(B) to reimburse costs incurred by the Secretary in carrying out the conveyances under this section, including the payment of any real estate broker commissions.

(3) **ADMINISTRATION.**—The lands acquired under paragraph (2)(A) shall be included in the Chequamegon-Nicolet National Forest and administered in accordance with the laws applicable to that National Forest.

(e) **WITHDRAWAL.**—Subject to valid existing rights, the land to be conveyed under this section is withdrawn from location, entry, and patent under the public land laws, mining laws, and mineral leasing laws, including geothermal leasing laws.

(f) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the conveyances under this section as the Secretary considers appropriate to protect the interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Minnesota (Mr. PETERSON) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 4559. This bill simply provides the Forest Service with the required legislative authority to sell two tracts in Wisconsin to neighboring towns for a set price which the Forest Service and the towns agree represents fair market value.

The intent of the land sale is to spur economic development by providing the towns room to grow and allow the Forest Service to acquire more sensitive lands that have higher natural resource value. The proceeds of these sales will be used by the Forest Service to acquire other higher priority lands in the Chequamegon-Nicolet National Forest.

I thank the gentleman from Wisconsin (Mr. GREEN) for introducing this legislation, and I thank Mr. PETERSON for working with us on the committee to move this legislation forward. I urge my colleagues to support the bill.

Madam Speaker, I reserve the balance of my time.

Mr. PETERSON of Minnesota. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 4559. Mr. GREEN's bill would allow the towns of Laona and Wabeno in Wisconsin to purchase two parcels of marginal Forest Service land for development. Those towns, as was noted, suffer from low timber prices and a limited tax base, and this bill is an effort to provide economic development in these communities.

This bill allows the Forest Service to use the proceeds of the sale to buy land

with greater environmental value which will improve the forest. This project is a sensible transfer of Federal forest land, and it deserves congressional support.

Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 4559, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to provide for the conveyance of certain National Forest System land to the towns of Laona and Wabeno, Wisconsin, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

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CHILD AND FAMILY SERVICES IMPROVEMENT ACT OF 2006

Mr. HERGER. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the House amendments to the Senate bill (S. 3525) to amend subpart 2 of part B of title IV of the Social Security Act to improve outcomes for children in families affected by methamphetamine abuse and addiction, to reauthorize the promoting safe and stable families program, and for other purposes.

The Clerk read as follows:

Senate amendments to House amendments: In lieu of the matter proposed to be inserted by the House amendment to the text of the bill, insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Child and Family Services Improvement Act of 2006".

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) For Federal fiscal year 2004, child protective services (CPS) staff nationwide reported investigating or assessing an estimated 3,000,000 allegations of child maltreatment, and determined that 872,000 children had been abused or neglected by their parents or other caregivers.

(2) Combined, the Child Welfare Services (CWS) and Promoting Safe and Stable Families (PSSF) programs provide States about \$700,000,000 per year, the largest source of targeted Federal funding in the child protection system for services to ensure that children are

not abused or neglected and, whenever possible, help children remain safely with their families.

(3) A 2003 report by the Government Accountability Office (GAO) reported that little research is available on the effectiveness of activities supported by CWS funds—evaluations of services supported by PSSF funds have generally shown little or no effect.

(4) Further, the Department of Health and Human Services recently completed initial Child and Family Service Reviews (CFSRs) in each State. No State was in full compliance with all measures of the CFSRs. The CFSRs also revealed that States need to work to prevent repeat abuse and neglect of children, improve services provided to families to reduce the risk of future harm (including by better monitoring the participation of families in services), and strengthen upfront services provided to families to prevent unnecessary family break-up and protect children who remain at home.

(5) Federal policy should encourage States to invest their CWS and PSSF funds in services that promote and protect the welfare of children, support strong, healthy families, and reduce the reliance on out-of-home care, which will help ensure all children are raised in safe, loving families.

(6) CFSRs also found a strong correlation between frequent caseworker visits with children and positive outcomes for these children, such as timely achievement of permanency and other indicators of child well-being.

(7) However, a December 2005 report by the Department of Health and Human Services Office of Inspector General found that only 20 States were able to produce reports to show whether caseworkers actually visited children in foster care on at least a monthly basis, despite the fact that nearly all States had written standards suggesting monthly visits were State policy.

(8) A 2003 GAO report found that the average tenure for a child welfare caseworker is less than 2 years and this level of turnover negatively affects safety and permanency for children.

(9) Targeting CWS and PSSF funds to ensure children in foster care are visited on at least a monthly basis will promote better outcomes for vulnerable children, including by preventing further abuse and neglect.

(10) According to the Office of Applied Studies of the Substance Abuse and Mental Health Services Administration, the annual number of new uses of Methamphetamine, also known as "meth," has increased 72 percent over the past decade. According to a study conducted by the National Association of Counties which surveyed 500 county law enforcement agencies in 45 states, 88 percent of the agencies surveyed reported increases in meth related arrests starting 5 years ago.

(11) According to the 2004 National Survey on Drug Use and Health, nearly 12,000,000 Americans have tried methamphetamine. Meth making operations have been uncovered in all 50 states, but the most wide-spread abuse has been concentrated in the western, southwestern, and Midwestern United States.

(12) Methamphetamine abuse is on the increase, particularly among women of child-bearing age. This is having an impact on child welfare systems in many States. According to a survey administered by the National Association of Counties ("The Impact of Meth on Children"), conducted in 300 counties in 13 states, meth is a major cause of child abuse and neglect. Forty percent of all the child welfare officials in the survey reported an increase in out-of-home placements because of meth in 2005.

(13) It is appropriate also to target PSSF funds to address this issue because of the unique strain the meth epidemic puts on child welfare agencies. Outcomes for children affected by meth are enhanced when services provided by law enforcement, child welfare and substance abuse agencies are integrated.

SEC. 3. REAUTHORIZATION OF THE PROMOTING SAFE AND STABLE FAMILIES PROGRAM.

(a) FUNDING OF MANDATORY GRANTS AT \$345 MILLION PER FISCAL YEAR.—Effective October 1, 2006, section 436(a) of the Social Security Act (42 U.S.C. 629f(a)) is amended by striking “fiscal year 2006.” and all that follows and inserting “each of fiscal years 2007 through 2011”.

(b) FUNDING OF DISCRETIONARY GRANTS.—Section 437(a) of such Act (42 U.S.C. 629g(a)) is amended by striking “2002 through 2006” and inserting “2007 through 2011”.

(c) AVAILABILITY OF PROMOTING SAFE AND STABLE FAMILIES RESOURCES FOR FISCAL YEAR 2006.—

(1) APPROPRIATION.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated to the Secretary of Health and Human Services \$40,000,000 for fiscal year 2006 to carry out section 436 of the Social Security Act, in addition to any amount otherwise made available for fiscal year 2006 to carry out such section.

(2) AVAILABILITY OF FUNDS.—Notwithstanding sections 434(b)(2) and 436(b)(3) of such Act, the amount appropriated under paragraph (1) of this subsection—

(A) shall remain available for expenditure through fiscal year 2009 solely for the purpose described in section 436(b)(4)(B)(i) of such Act;

(B) shall not be used to supplant any Federal funds paid under part E of title IV of such Act that could be used for that purpose; and

(C) shall not be made available to any Indian tribe or tribal consortium.

(d) ELIMINATION OF FINDINGS.—Section 430 of such Act (42 U.S.C. 629) is amended by striking all through “(b) PURPOSE.—The purpose” and inserting the following:

“SEC. 430. PURPOSE.

“The purpose”.

(e) ANNUAL BUDGET REQUESTS, SUMMARIES, AND EXPENDITURE REPORTS.—

(1) IN GENERAL.—Section 432(a)(8) of such Act (42 U.S.C. 629b(a)(8)) is amended—

(A) by inserting “(A)” after “(8)”; and

(B) by adding at the end the following:

“(B) provides that, not later than June 30 of each year, the State will submit to the Secretary—

“(i) copies of forms CFS 101–Part I and CFS 101–Part II (or any successor forms) that report on planned child and family services expenditures by the agency for the immediately succeeding fiscal year; and

“(ii) copies of forms CFS 101–Part I and CFS 101–Part II (or any successor forms) that provide, with respect to the programs authorized under this subpart and subpart 1 and, at State option, other programs included on such forms, for the most recent preceding fiscal year for which reporting of actual expenditures is complete—

“(I) the numbers of families and of children served by the State agency;

“(II) the population served by the State agency;

“(III) the geographic areas served by the State agency; and

“(IV) the actual expenditures of funds provided to the State agency; and”.

(2) ANNUAL SUBMISSION OF STATE REPORTS TO CONGRESS.—Section 432 of such Act (42 U.S.C. 629b) is amended by adding at the end the following:

“(c) ANNUAL SUBMISSION OF STATE REPORTS TO CONGRESS.—The Secretary shall compile the reports required under subsection (a)(8)(B) and, not later than September 30 of each year, submit such compilation to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.”.

(3) EFFECTIVE DATE; INITIAL DEADLINES FOR SUBMISSIONS.—The amendments made by this subsection take effect on the date of enactment of this Act. Each State with an approved plan under subpart 1 or 2 of part B of title IV of the

Social Security Act shall make its initial submission of the forms required under section 432(a)(8)(B) of the Social Security Act to the Secretary of Health and Human Services by June 30, 2007, and the Secretary of Health and Human Services shall submit the first compilation required under section 432(c) of the Social Security Act by September 30, 2007.

(f) LIMITATION ON ADMINISTRATIVE COST REIMBURSEMENT.—

(1) IN GENERAL.—Section 434 of such Act (42 U.S.C. 629d) is amended—

(A) in subsection (a), by inserting “, subject to subsection (d),” after “shall”; and

(B) by adding at the end the following:

“(d) LIMITATION ON REIMBURSEMENT FOR ADMINISTRATIVE COSTS.—The Secretary shall not make a payment to a State under this section with respect to expenditures for administrative costs during a fiscal year, to the extent that the total amount of the expenditures exceeds 10 percent of the total expenditures of the State during the fiscal year under the State plan approved under section 432.”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply to expenditures made on or after October 1, 2007.

SEC. 4. TARGETING OF PROMOTING SAFE AND STABLE FAMILIES PROGRAM RESOURCES.

(a) SUPPORT FOR MONTHLY CASEWORKER VISITS.—

(1) RESERVATION AND USE OF FUNDS.—Section 436(b) of the Social Security Act (42 U.S.C. 629f(b)) is amended by adding at the end the following:

“(4) SUPPORT FOR MONTHLY CASEWORKER VISITS.—

“(A) RESERVATION.—The Secretary shall reserve for allotment in accordance with section 433(e)—

“(i) \$5,000,000 for fiscal year 2008;

“(ii) \$10,000,000 for fiscal year 2009; and

“(iii) \$20,000,000 for each of fiscal years 2010 and 2011.

“(B) USE OF FUNDS.—

“(i) IN GENERAL.—A State to which an amount is paid from amounts reserved under subparagraph (A) shall use the amount to support monthly caseworker visits with children who are in foster care under the responsibility of the State, with a primary emphasis on activities designed to improve caseworker retention, recruitment, training, and ability to access the benefits of technology.

“(ii) NONSUPPLANTATION.—A State to which an amount is paid from amounts reserved pursuant to subparagraph (A) shall not use the amount to supplant any Federal funds paid to the State under part E that could be used as described in clause (i).”.

(2) ALLOTMENT OF FUNDS.—Section 433 of such Act (42 U.S.C. 629c) is amended—

(A) in subsection (d), by inserting “subsection (a), (b), or (c) of” before “this section” the 1st and 2nd places it appears; and

(B) by adding at the end the following:

“(e) ALLOTMENT OF FUNDS RESERVED TO SUPPORT MONTHLY CASEWORKER VISITS.—

“(1) TERRITORIES.—From the amount reserved pursuant to section 436(b)(4)(A) for any fiscal year, the Secretary shall allot to each jurisdiction specified in subsection (b) of this section, that has provided to the Secretary such documentation as may be necessary to verify that the jurisdiction has complied with section 436(b)(4)(B)(ii) during the fiscal year, an amount determined in the same manner as the allotment to each of such jurisdictions is determined under section 423 (without regard to the initial allotment of \$70,000 to each State).

“(2) OTHER STATES.—From the amount reserved pursuant to section 436(b)(4)(A) for any fiscal year that remains after applying paragraph (1) of this subsection for the fiscal year, the Secretary shall allot to each State (other than an Indian tribe) not specified in subsection (b) of this section, that has provided to the Sec-

retary such documentation as may be necessary to verify that the State has complied with section 436(b)(4)(B)(ii) during the fiscal year, an amount equal to such remaining amount multiplied by the food stamp percentage of the State (as defined in subsection (c)(2) of this section) for the fiscal year, except that in applying subsection (c)(2)(A) of this section, “subsection (e)(2)” shall be substituted for “such paragraph (1)”.

(3) PAYMENTS TO STATES.—Section 434(a) of such Act (42 U.S.C. 629d(a)), as amended by section 3(f)(1) of this Act, is amended by striking “the lesser of—” and all that follows and inserting the following: “the sum of—

“(1) the lesser of—

“(A) 75 percent of the total expenditures by the State for activities under the plan during the fiscal year or the immediately succeeding fiscal year; or

“(B) the allotment of the State under subsection (a), (b), or (c) of section 433, whichever is applicable, for the fiscal year; and”

“(2) the lesser of—

“(A) 75 percent of the total expenditures by the State in accordance with section 436(b)(4)(B) during the fiscal year or the immediately succeeding fiscal year; or

“(B) the allotment of the State under section 433(e) for the fiscal year.”.

(b) SUPPORT FOR TARGETED GRANTS TO INCREASE THE WELL BEING OF, AND TO IMPROVE THE PERMANENCY OUTCOMES FOR, CHILDREN AFFECTED BY METHAMPHETAMINE OR OTHER SUBSTANCE ABUSE.—

(1) RESERVATION OF FUNDS.—Section 436(b) of such Act (42 U.S.C. 629f(b)), as amended by subsection (a)(1) of this section, is amended by adding at the end the following:

“(5) REGIONAL PARTNERSHIP GRANTS.—The Secretary shall reserve for awarding grants under section 437(f)—

“(A) \$40,000,000 for fiscal year 2007;

“(B) \$35,000,000 for fiscal year 2008;

“(C) \$30,000,000 for fiscal year 2009; and

“(D) \$20,000,000 for each of fiscal years 2010 and 2011.”.

(2) TARGETED GRANTS.—

(A) IN GENERAL.—Section 437 of such Act (42 U.S.C. 629g) is amended by adding at the end the following:

“(f) TARGETED GRANTS TO INCREASE THE WELL BEING OF, AND TO IMPROVE THE PERMANENCY OUTCOMES FOR, CHILDREN AFFECTED BY METHAMPHETAMINE OR OTHER SUBSTANCE ABUSE.—

“(1) PURPOSE.—The purpose of this subsection is to authorize the Secretary to make competitive grants to regional partnerships to provide, through interagency collaboration and integration of programs and services, services and activities that are designed to increase the well-being of, improve permanency outcomes for, and enhance the safety of children who are in an out-of-home placement or are at risk of being placed in an out-of-home placement as a result of a parent's or caretaker's methamphetamine or other substance abuse.

“(2) REGIONAL PARTNERSHIP DEFINED.—

“(A) IN GENERAL.—In this subsection, the term ‘regional partnership’ means a collaborative agreement (which may be established on an interstate or intrastate basis) entered into by at least 2 of the following:

“(i) The State child welfare agency that is responsible for the administration of the State plan under this part and part E.

“(ii) The State agency responsible for administering the substance abuse prevention and treatment block grant provided under subpart II of part B of title XIX of the Public Health Service Act.

“(iii) An Indian tribe or tribal consortium.

“(iv) Nonprofit child welfare service providers.

“(v) For-profit child welfare service providers.

“(vi) Community health service providers.

“(vii) Community mental health providers.

“(viii) Local law enforcement agencies.

“(ix) Judges and court personnel.

“(x) Juvenile justice officials.

“(xi) School personnel.

“(xii) Tribal child welfare agencies (or a consortia of such agencies).

“(xiii) Any other providers, agencies, personnel, officials, or entities that are related to the provision of child and family services under this subpart.

“(B) REQUIREMENTS.—

“(i) STATE CHILD WELFARE AGENCY PARTNER.—Subject to clause (ii)(I), a regional partnership entered into for purposes of this subsection shall include the State child welfare agency that is responsible for the administration of the State plan under this part and part E as 1 of the partners.

“(ii) REGIONAL PARTNERSHIPS ENTERED INTO BY INDIAN TRIBES OR TRIBAL CONSORTIA.—If an Indian tribe or tribal consortium enters into a regional partnership for purposes of this subsection, the Indian tribe or tribal consortium—

“(I) may (but is not required to) include such State child welfare agency as a partner in the collaborative agreement; and

“(II) may not enter into a collaborative agreement only with tribal child welfare agencies (or a consortium of such agencies).

“(iii) NO STATE AGENCY ONLY PARTNERSHIPS.—If a State agency described in clause (i) or (ii) of subparagraph (A) enters into a regional partnership for purposes of this subsection, the State agency may not enter into a collaborative agreement only with the other State agency described in such clause (i) or (ii).

“(3) AUTHORITY TO AWARD GRANTS.—

“(A) IN GENERAL.—In addition to amounts authorized to be appropriated to carry out this section, the Secretary shall award grants under this subsection, from the amounts reserved for each of fiscal years 2007 through 2011 under section 436(b)(5), to regional partnerships that satisfy the requirements of this subsection, in amounts that are not less than \$500,000 and not more than \$1,000,000 per grant per fiscal year.

“(B) REQUIRED MINIMUM PERIOD OF APPROVAL.—A grant shall be awarded under this subsection for a period of not less than 2, and not more than 5, fiscal years.

“(4) APPLICATION REQUIREMENTS.—To be eligible for a grant under this subsection, a regional partnership shall submit to the Secretary a written application containing the following:

“(A) Recent evidence demonstrating that methamphetamine or other substance abuse has had a substantial impact on the number of out-of-home placements for children, or the number of children who are at risk of being placed in an out-of-home placement, in the partnership region.

“(B) A description of the goals and outcomes to be achieved during the funding period for the grant that will—

“(i) enhance the well-being of children receiving services or taking part in activities conducted with funds provided under the grant;

“(ii) lead to safety and permanence for such children; and

“(iii) decrease the number of out-of-home placements for children, or the number of children who are at risk of being placed in an out-of-home placement, in the partnership region.

“(C) A description of the joint activities to be funded in whole or in part with the funds provided under the grant, including the sequencing of the activities proposed to be conducted under the funding period for the grant.

“(D) A description of the strategies for integrating programs and services determined to be appropriate for the child and where appropriate, the child's family.

“(E) A description of the strategies for—

“(i) collaborating with the State child welfare agency described in paragraph (2)(A)(i) (unless that agency is the lead applicant for the regional partnership); and

“(ii) consulting, as appropriate, with—

“(I) the State agency described in paragraph (2)(A)(ii); and

“(II) the State law enforcement and judicial agencies.

To the extent the Secretary determines that the requirement of this subparagraph would be inappropriate to apply to a regional partnership that includes an Indian tribe, tribal consortium, or a tribal child welfare agency or a consortium of such agencies, the Secretary may exempt the regional partnership from the requirement.

“(F) Such other information as the Secretary may require.

“(5) USE OF FUNDS.—Funds made available under a grant made under this subsection shall only be used for services or activities that are consistent with the purpose of this subsection and may include the following:

“(A) Family-based comprehensive long-term substance abuse treatment services.

“(B) Early intervention and preventative services.

“(C) Children and family counseling.

“(D) Mental health services.

“(E) Parenting skills training.

“(F) Replication of successful models for providing family-based comprehensive long-term substance abuse treatment services.

“(6) MATCHING REQUIREMENT.—

“(A) FEDERAL SHARE.—A grant awarded under this subsection shall be available to pay a percentage share of the costs of services provided or activities conducted under such grant, not to exceed—

“(i) 85 percent for the first and second fiscal years for which the grant is awarded to a recipient;

“(ii) 80 percent for the third and fourth such fiscal years; and

“(iii) 75 percent for the fifth such fiscal year.

“(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of services provided or activities conducted under a grant awarded under this subsection may be in cash or in kind. In determining the amount of the non-Federal share, the Secretary may attribute fair market value to goods, services, and facilities contributed from non-Federal sources.

“(7) CONSIDERATIONS IN AWARDING GRANTS.—In awarding grants under this subsection, the Secretary shall—

“(A) take into consideration the extent to which applicant regional partnerships—

“(i) demonstrate that methamphetamine or other substance abuse by parents or caretakers has had a substantial impact on the number of out-of-home placements for children, or the number of children who are at risk of being placed in an out-of-home placement, in the partnership region;

“(ii) have limited resources for addressing the needs of children affected by such abuse;

“(iii) have a lack of capacity for, or access to, comprehensive family treatment services; and

“(iv) demonstrate a plan for sustaining the services provided by or activities funded under the grant after the conclusion of the grant period; and

“(B) after taking such factors into consideration, give greater weight to awarding grants to regional partnerships that propose to address methamphetamine abuse and addiction in the partnership region (alone or in combination with other drug abuse and addiction) and which demonstrate that methamphetamine abuse and addiction (alone or in combination with other drug abuse and addiction) is adversely affecting child welfare in the partnership region.

“(8) PERFORMANCE INDICATORS.—

“(A) IN GENERAL.—Not later than 9 months after the date of enactment of this subsection, the Secretary shall establish indicators that will be used to assess periodically the performance of the grant recipients under this subsection in using funds made available under such grants to achieve the purpose of this subsection.

“(B) CONSULTATION REQUIRED.—In establishing the performance indicators required by

subparagraph (A), the Secretary shall consult with the following:

“(i) The Assistant Secretary for the Administration for Children and Families.

“(ii) The Administrator of the Substance Abuse and Mental Health Services Administration.

“(iii) Representatives of States in which a State agency described in clause (i) or (ii) of paragraph (2)(A) is a member of a regional partnership that is a grant recipient under this subsection.

“(iv) Representatives of Indian tribes, tribal consortia, or tribal child welfare agencies that are members of a regional partnership that is a grant recipient under this subsection.

“(9) REPORTS.—

“(A) GRANTEE REPORTS.—

“(i) ANNUAL REPORT.—Not later than September 30 of the first fiscal year in which a recipient of a grant under this subsection is paid funds under the grant, and annually thereafter until September 30 of the last fiscal year in which the recipient is paid funds under the grant, the recipient shall submit to the Secretary a report on the services provided or activities carried out during that fiscal year with such funds. The report shall contain such information as the Secretary determines is necessary to provide an accurate description of the services provided or activities conducted with such funds.

“(ii) INCORPORATION OF INFORMATION RELATED TO PERFORMANCE INDICATORS.—Each recipient of a grant under this subsection shall incorporate into the first annual report required by clause (i) that is submitted after the establishment of performance indicators under paragraph (8), information required in relation to such indicators.

“(B) REPORTS TO CONGRESS.—On the basis of the reports submitted under subparagraph (A), the Secretary annually shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on—

“(i) the services provided and activities conducted with funds provided under grants awarded under this subsection;

“(ii) the performance indicators established under paragraph (8); and

“(iii) the progress that has been made in addressing the needs of families with methamphetamine or other substance abuse problems who come to the attention of the child welfare system and in achieving the goals of child safety, permanence, and family stability.”

(B) CONFORMING AMENDMENTS.—Section 437 of such Act (42 U.S.C. 629g) is amended—

(i) in the section heading, by inserting “**AND TARGETED**” after “**DISCRETIONARY**”; and

(ii) in subsection (e), by striking “this section” and inserting “subsection (a)”.

(C) EVALUATION, RESEARCH, AND TECHNICAL ASSISTANCE WITH RESPECT TO TARGETED PROGRAM RESOURCES.—Section 435(c) of such Act (42 U.S.C. 629e(c)) is amended to read as follows:

“(c) EVALUATION, RESEARCH, AND TECHNICAL ASSISTANCE WITH RESPECT TO TARGETED PROGRAM RESOURCES.—Of the amount reserved under section 436(b)(1) for a fiscal year, the Secretary shall use not less than—

“(1) \$1,000,000 for evaluations, research, and providing technical assistance with respect to supporting monthly caseworker visits with children who are in foster care under the responsibility of the State, in accordance with section 436(b)(4)(B)(i); and

“(2) \$1,000,000 for evaluations, research, and providing technical assistance with respect to grants under section 437(f).”

SEC. 5. ALLOTMENTS AND GRANTS TO INDIAN TRIBES.

(a) INCREASE IN SET-ASIDES FOR INDIAN TRIBES.—

(1) MANDATORY GRANTS.—Section 436(b)(3) of the Social Security Act (42 U.S.C. 629f(b)(3)) is amended by striking “1” and inserting “3”.

(2) DISCRETIONARY GRANTS.—Section 437(b)(3) of such Act (42 U.S.C. 629g(b)(3)) is amended by striking “2” and inserting “3”.

(3) EFFECT OF RESERVATION OF FUNDS FOR TARGETED PROGRAM RESOURCES ON AMOUNTS RESERVED FOR INDIAN TRIBES.—Section 436(b)(3) of such Act (42 U.S.C. 629b(b)(3)) is amended by striking “The” and inserting “After applying paragraphs (4) and (5) (but before applying paragraphs (1) or (2)), the”.

(b) AUTHORITY FOR TRIBAL CONSORTIA TO RECEIVE ALLOTMENTS.—

(1) ALLOTMENT OF MANDATORY FUNDS.—

(A) IN GENERAL.—Section 433(a) of such Act (42 U.S.C. 629c(a)) is amended—

(i) in the subsection heading, by inserting “OR TRIBAL CONSORTIA” after “TRIBES”; and

(ii) by adding at the end the following new sentence: “If a consortium of Indian tribes submits a plan approved under this subpart, the Secretary shall allot to the consortium an amount equal to the sum of the allotments determined for each Indian tribe that is part of the consortium.”.

(B) CONFORMING AMENDMENT.—Section 436(b)(3) of such Act (42 U.S.C. 629f(b)(3)) is amended—

(i) in the paragraph heading, by inserting “OR TRIBAL CONSORTIA” after “TRIBES”; and

(ii) by inserting “or tribal consortia” after “Indian tribes”.

(2) ALLOTMENT OF ANY DISCRETIONARY FUNDS.—Section 437 of such Act (42 U.S.C. 629g) is amended—

(A) in subsection (b)(3)—

(i) in the paragraph heading, by inserting “OR TRIBAL CONSORTIA” after “TRIBES”; and

(ii) by inserting “or tribal consortia” after “Indian tribes”; and

(B) in subsection (c)(1)—

(i) in the paragraph heading, by inserting “OR TRIBAL CONSORTIA” after “TRIBES”; and

(ii) by adding at the end the following new sentence: “If a consortium of Indian tribes applies and is approved for a grant under this section, the Secretary shall allot to the consortium an amount equal to the sum of the allotments determined for each Indian tribe that is part of the consortium.”.

(3) ADDITIONAL CONFORMING AMENDMENTS.—

(A) PLANS OF INDIAN TRIBES.—Section 432(b)(2) of such Act (42 U.S.C. 629b(b)(2)) is amended—

(i) in the paragraph heading, by inserting “OR TRIBAL CONSORTIA” after “TRIBES”; and

(ii) in subparagraph (A), by inserting “or tribal consortium” after “Indian tribe” each place it appears; and

(iii) in subparagraph (B)—

(I) by inserting “or tribal consortium” after “Indian tribe”; and

(II) by inserting “and tribal consortia” after “Indian tribes”.

(B) DIRECT PAYMENTS TO TRIBAL ORGANIZATIONS.—Section 434(c) of such Act (42 U.S.C. 629d(c)) is amended—

(i) in the subsection heading, by inserting “OR TRIBAL CONSORTIA” after “TRIBES”; and

(ii) by inserting “or tribal consortium” after “Indian tribe” the first place it appears; and

(iii) by inserting “or in the case of a payment to a tribal consortium, such tribal organizations of, or entity established by, the Indian tribes that are part of the consortium as the consortium shall designate” before the period.

(C) EVALUATIONS; RESEARCH; TECHNICAL ASSISTANCE.—Section 435(d) of such Act (42 U.S.C. 629e(d)) is amended in the matter preceding paragraph (1), by inserting “or tribal consortia” after “Indian tribes”.

(c) COLLECTION OF DATA ON TRIBAL PROMOTING SAFE AND STABLE FAMILIES PLANS.—Section 432(b)(2)(A) of such Act (42 U.S.C. 629b(b)(2)(A)), as amended by subsection (b)(3)(A)(ii) of this section, is amended by striking “any requirement of this section that the Secretary determines” and inserting “the requirements of subsection (a)(4) of this section to

the extent that the Secretary determines those requirements”.

SEC. 6. IMPROVEMENTS TO THE CHILD WELFARE SERVICES PROGRAM.

(a) FUNDING.—Subpart 1 of part B of title IV of the Social Security Act (42 U.S.C. 620–628b) is amended by striking sections 420 and 425 and inserting after section 424 the following:

“LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS

“SEC. 425. To carry out this subpart, there are authorized to be appropriated to the Secretary not more than \$325,000,000 for each of fiscal years 2007 through 2011.”.

(b) PURPOSE OF PROGRAM.—Such subpart is further amended—

(1) by striking section 424;

(2) by redesignating sections 421 and 423 as sections 423 and 424, respectively, and by transferring section 423 (as so redesignated) so that it appears after section 422; and

(3) by inserting after the subpart heading the following:

“PURPOSE

“SEC. 421. The purpose of this subpart is to promote State flexibility in the development and expansion of a coordinated child and family services program that utilizes community-based agencies and ensures all children are raised in safe, loving families, by—

“(1) protecting and promoting the welfare of all children;

“(2) preventing the neglect, abuse, or exploitation of children;

“(3) supporting at-risk families through services which allow children, where appropriate, to remain safely with their families or return to their families in a timely manner;

“(4) promoting the safety, permanence, and well-being of children in foster care and adoptive families; and

“(5) providing training, professional development and support to ensure a well-qualified child welfare workforce.”.

(c) MODIFICATION OF STATE PLAN REQUIREMENTS.—Section 422 of such Act (42 U.S.C. 622) is amended—

(1) in subsection (b)—

(A) by striking paragraphs (3) through (5) and inserting the following:

“(3) include a description of the services and activities which the State will fund under the State program carried out pursuant to this subpart, and how the services and activities will achieve the purpose of this subpart;”.

(B) by striking paragraph (6) and inserting after paragraph (3) (as added by subparagraph (A) of this paragraph) the following:

“(4) contain a description of—

“(A) the steps the State will take to provide child welfare services statewide and to expand and strengthen the range of existing services and develop and implement services to improve child outcomes; and

“(B) the child welfare services staff development and training plans of the State;”.

(C) by redesignating paragraphs (7) through (9) as paragraphs (5) through (7), respectively;

(D) in paragraph (10)—

(i) by striking subparagraph (A);

(ii) in subparagraph (B)(iii)(II), by inserting “, which may include a residential educational program” after “in some other planned, permanent living arrangement”; and

(iii) by redesignating subparagraph (B) as subparagraph (A); and

(iv) by striking subparagraph (C) and inserting after subparagraph (A) the following:

“(B) has in effect policies and administrative and judicial procedures for children abandoned at or shortly after birth (including policies and procedures providing for legal representation of the children) which enable permanent decisions to be made expeditiously with respect to the placement of the children;”.

(E) in paragraph (14), by striking “and” at the end;

(F) in paragraph (15), by striking the period and inserting a semicolon;

(G) by redesignating paragraphs (10) through (15) as paragraphs (8) through (13), respectively; and

(H) by adding at the end the following:

“(14) not later than October 1, 2007, include assurances that not more than 10 percent of the expenditures of the State with respect to activities funded from amounts provided under this subpart will be for administrative costs;

“(15) describe how the State actively consults with and involves physicians or other appropriate medical professionals in—

“(A) assessing the health and well-being of children in foster care under the responsibility of the State; and

“(B) determining appropriate medical treatment for the children; and

“(16) provide that, not later than 1 year after the date of the enactment of this paragraph, the State shall have in place procedures providing for how the State programs assisted under this subpart, subpart 2 of this part, or part E would respond to a disaster, in accordance with criteria established by the Secretary which should include how a State would—

“(A) identify, locate, and continue availability of services for children under State care or supervision who are displaced or adversely affected by a disaster;

“(B) respond, as appropriate, to new child welfare cases in areas adversely affected by a disaster, and provide services in those cases;

“(C) remain in communication with caseworkers and other essential child welfare personnel who are displaced because of a disaster;

“(D) preserve essential program records; and

“(E) coordinate services and share information with other States.”; and

(2) by adding at the end the following:

“(c) DEFINITIONS.—In this subpart:

“(1) ADMINISTRATIVE COSTS.—The term ‘administrative costs’ means costs for the following, but only to the extent incurred in administering the State plan developed pursuant to this subpart: procurement, payroll management, personnel functions (other than the portion of the salaries of supervisors attributable to time spent directly supervising the provision of services by caseworkers), management, maintenance and operation of space and property, data processing and computer services, accounting, budgeting, auditing, and travel expenses (except those related to the provision of services by caseworkers or the oversight of programs funded under this subpart).

“(2) OTHER TERMS.—For definitions of other terms used in this part, see section 475.”.

(d) PROVISIONS RELATING TO STATE ALLOTMENTS.—Section 423 of such Act, as so redesignated by subsection (b)(2) of this section, is amended—

(1) in subsection (a)—

(A) by inserting “IN GENERAL.—” after “(a)”; and

(B) by striking “420” and inserting “425”; and

(2) in subsection (b), by inserting “DETERMINATION OF STATE ALLOTMENT PERCENTAGES.—” after “(b)”; and

(3) in subsection (c), by inserting “PROMULGATION OF STATE ALLOTMENT PERCENTAGES.—” after “(c)”; and

(4) in subsection (d)—

(A) by inserting “UNITED STATES DEFINED.—” after “(d)”; and

(B) by striking “fifty” and inserting “50”; and

(5) by adding at the end the following:

“(e) REALLOTMENT OF FUNDS.—

“(1) IN GENERAL.—The amount of any allotment to a State for a fiscal year under the preceding provisions of this section which the State certifies to the Secretary will not be required for carrying out the State plan developed as provided in section 422 shall be available for reallocation from time to time, on such dates as the Secretary may fix, to other States which the Secretary determines—

“(A) need sums in excess of the amounts allotted to such other States under the preceding provisions of this section, in carrying out their State plans so developed; and

“(B) will be able to so use such excess sums during the fiscal year.

“(2) **CONSIDERATIONS.**—The Secretary shall make the reallocations on the basis of the State plans so developed, after taking into consideration—

“(A) the population under 21 years of age;

“(B) the per capita income of each of such other States as compared with the population under 21 years of age; and

“(C) the per capita income of all such other States with respect to which such a determination by the Secretary has been made.

“(3) **AMOUNTS REALLOTTED TO A STATE DEEMED PART OF STATE ALLOTMENT.**—Any amount so reallocated to a State is deemed part of the allotment of the State under this section.”.

(e) **PAYMENTS TO STATES; LIMITATIONS ON USE OF FUNDS.**—

(1) **LIMITATIONS RELATED TO STATE EXPENDITURES FOR CHILD CARE, FOSTER CARE MAINTENANCE PAYMENTS, AND ADOPTION ASSISTANCE PAYMENTS.**—Section 424 of such Act, as so redesignated by subsection (b)(2) of this section, is amended by striking subsections (c) and (d) and inserting the following:

“(c) **LIMITATION ON USE OF FEDERAL FUNDS FOR CHILD CARE, FOSTER CARE MAINTENANCE PAYMENTS, OR ADOPTION ASSISTANCE PAYMENTS.**—The total amount of Federal payments under this subpart for a fiscal year beginning after September 30, 2007, that may be used by a State for expenditures for child care, foster care maintenance payments, or adoption assistance payments shall not exceed the total amount of such payments for fiscal year 2005 that were so used by the State.

“(d) **LIMITATION ON USE BY STATES OF NON-FEDERAL FUNDS FOR FOSTER CARE MAINTENANCE PAYMENTS TO MATCH FEDERAL FUNDS.**—For any fiscal year beginning after September 30, 2007, State expenditures of non-Federal funds for foster care maintenance payments shall not be considered to be expenditures under the State plan developed under this subpart for the fiscal year to the extent that the total of such expenditures for the fiscal year exceeds the total of such expenditures under the State plan developed under this subpart for fiscal year 2005.”.

(2) **LIMITATION ON ADMINISTRATIVE COST REIMBURSEMENT.**—

(A) **IN GENERAL.**—Section 424 of such Act (42 U.S.C. 623), as so redesignated by subsection (b)(2) of this section, is amended by adding at the end the following:

“(e) **LIMITATION ON REIMBURSEMENT FOR ADMINISTRATIVE COSTS.**—A payment may not be made to a State under this section with respect to expenditures during a fiscal year for administrative costs, to the extent that the total amount of the expenditures exceeds 10 percent of the total expenditures of the State during the fiscal year for activities funded from amounts provided under this subpart.”.

(B) **EFFECTIVE DATE.**—The amendment made by subparagraph (A) shall apply to expenditures made on or after October 1, 2007.

(f) **CONFORMING AMENDMENTS.**—

(1) Section 428(b) of such Act (42 U.S.C. 628(b)) is amended by striking “421” and inserting “423”.

(2) Section 429 of such Act (42 U.S.C. 628a) is amended—

(A)(i) by striking the following:

“CHILD WELFARE TRAINEESHIPS

“SEC. 429. The Secretary”; and

(ii) inserting the following:

“(c) **CHILD WELFARE TRAINEESHIPS.**—The Secretary”; and

(B) by transferring the provision to the end of section 426 (as amended by section 11(b) of this Act).

(3) Section 429A of such Act (42 U.S.C. 628b) is redesignated as section 429.

(4) Section 433(b) of such Act (42 U.S.C. 629c(b)) is amended by striking “421” and inserting “423”.

(5) Section 437(c)(2) of such Act (42 U.S.C. 629g(c)(2)) is amended by striking “421” and inserting “423”.

(6) Section 472(d) of such Act (42 U.S.C. 672(d)) is amended by striking “422(b)(10)” and inserting “422(b)(8)”.

(7) Section 473A(f) of such Act (42 U.S.C. 673b(f)) is amended by striking “423” and inserting “424”.

(8) Section 1130(b)(1) of such Act (42 U.S.C. 1320a-9(b)(1)) is amended to read as follows:

“(1) any provision of section 422(b)(8), or section 479; or”.

(9) Section 104(b)(3) of the Intercountry Adoption Act of 2000 (42 U.S.C. 14914(b)(3)) is amended by striking “422(b)(14) of the Social Security Act, as amended by section 205 of this Act” and inserting “422(b)(12) of the Social Security Act”.

SEC. 7. MONTHLY CASEWORKER STANDARD.

(a) **STATE PLAN REQUIREMENT.**—Section 422(b) of the Social Security Act (42 U.S.C. 622(b)), as amended by section 6(c) of this Act, is amended—

(1) by striking “and” at the end of paragraph (15);

(2) by striking the period at the end of paragraph (16) and inserting “; and”; and

(3) by adding at the end the following:

“(17) not later than October 1, 2007, describe the State standards for the content and frequency of caseworker visits for children who are in foster care under the responsibility of the State, which, at a minimum, ensure that the children are visited on a monthly basis and that the caseworker visits are well-planned and focused on issues pertinent to case planning and service delivery to ensure the safety, permanency, and well-being of the children.”.

(b) **ENFORCEMENT.**—Section 424 of the Social Security Act, as so redesignated by section 6(b)(2) of this Act, is amended by adding at the end the following:

“(e)(1) The Secretary may not make a payment to a State under this subpart for a period in fiscal year 2008, unless the State has provided to the Secretary data which shows, for fiscal year 2007—

“(A) the percentage of children in foster care under the responsibility of the State who were visited on a monthly basis by the caseworker handling the case of the child; and

“(B) the percentage of the visits that occurred in the residence of the child.

“(2)(A) Based on the data provided by a State pursuant to paragraph (1), the Secretary, in consultation with the State, shall establish, not later than June 30, 2008, an outline of the steps to be taken to ensure, by October 1, 2011, that at least 90 percent of the children in foster care under the responsibility of the State are visited by their caseworkers on a monthly basis, and that the majority of the visits occur in the residence of the child. The outline shall include target percentages to be reached each fiscal year, and should include a description of how the steps will be implemented. The steps may include activities designed to improve caseworker retention, recruitment, training, and ability to access the benefits of technology.

“(B) Beginning October 1, 2008, if the Secretary determines that a State has not made the requisite progress in meeting the goal described in subparagraph (A) of this paragraph, then the percentage that shall apply for purposes of subsection (a) of this section for the period involved shall be the percentage set forth in such subsection (a) reduced by—

“(i) 1, if the number of full percentage points by which the State fell short of the target percentage established for the State for the period pursuant to such subparagraph is less than 10;

“(ii) 3, if the number of full percentage points by which the State fell short, as described in

clause (i), is not less than 10 and less than 20; or

“(iii) 5, if the number of full percentage points by which the State fell short, as described in clause (i), is not less than 20.”.

(c) **REPORTS.**—

(1) **PROGRESS REPORT.**—Not later than March 31, 2010, the Secretary of Health and Human Services shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report that outlines the progress made by the States in meeting the standards referred to in section 422(b)(17) of the Social Security Act, and offers recommendations developed in consultation with State officials responsible for administering child welfare programs and members of the State legislature to assist States in their efforts to ensure that foster children are visited on a monthly basis.

(2) **INCLUSION OF INFORMATION ON CASEWORKER VISITS IN ANNUAL CHILD WELL-BEING OUTCOME REPORTS.**—Section 479A of such Act (42 U.S.C. 679b) is amended—

(A) by striking “and” at the end of paragraph (4);

(B) by striking the period at the end of paragraph (5) and inserting “; and”; and

(C) by adding at the end the following:

“(6) include in the report submitted pursuant to paragraph (5) for fiscal year 2007 or any succeeding fiscal year, State-by-State data on—

“(A) the percentage of children in foster care under the responsibility of the State who were visited on a monthly basis by the caseworker handling the case of the child; and

“(B) the percentage of the visits that occurred in the residence of the child.”.

SEC. 8. REAUTHORIZATION OF PROGRAM FOR MENTORING CHILDREN OF PRISONERS.

(a) **IN GENERAL.**—Section 439 of the Social Security Act (42 U.S.C. 629i) is amended—

(1) in subsection (c), by striking “2002 through 2006” and inserting “2007 through 2011”; and

(2) in subsection (h)—

(A) by striking paragraph (1) and inserting the following:

“(1) **LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.**—To carry out this section, there are authorized to be appropriated to the Secretary such sums as may be necessary for fiscal years 2007 through 2011.”; and

(B) in paragraph (2), by striking “2.5” and inserting “4”.

(b) **SERVICE DELIVERY DEMONSTRATION PROJECT.**—

(1) **IN GENERAL.**—Section 439 of such Act (42 U.S.C. 629i), as amended by subsection (a) of this section, is amended—

(A) by redesignating subsections (g) and (h) as subsections (h) and (i), respectively; and

(B) by inserting after subsection (f) the following:

“(g) **SERVICE DELIVERY DEMONSTRATION PROJECT.**—

“(1) **PURPOSE; AUTHORITY TO ENTER INTO CO-OPERATIVE AGREEMENT.**—The Secretary shall enter into a cooperative agreement with an eligible entity that meets the requirements of paragraph (2) for the purpose of requiring the entity to conduct a demonstration project consistent with this subsection under which the entity shall—

“(A) identify children of prisoners in need of mentoring services who have not been matched with a mentor by an applicant awarded a grant under this section, with a priority for identifying children who—

“(i) reside in an area not served by a recipient of a grant under this section;

“(ii) reside in an area that has a substantial number of children of prisoners;

“(iii) reside in a rural area; or

“(iv) are Indians;

“(B) provide the families of the children so identified with—

“(i) a voucher for mentoring services that meets the requirements of paragraph (5); and

“(ii) a list of the providers of mentoring services in the area in which the family resides that satisfy the requirements of paragraph (6); and

“(C) monitor and oversee the delivery of mentoring services by providers that accept the vouchers.

“(2) ELIGIBLE ENTITY.—

“(A) IN GENERAL.—Subject to subparagraph (B), an eligible entity under this subsection is an organization that the Secretary determines, on a competitive basis—

“(i) has substantial experience—

“(I) in working with organizations that provide mentoring services for children of prisoners; and

“(II) in developing quality standards for the identification and assessment of mentoring programs for children of prisoners; and

“(ii) submits an application that satisfies the requirements of paragraph (3).

“(B) LIMITATION.—An organization that provides mentoring services may not be an eligible entity for purposes of being awarded a cooperative agreement under this subsection.

“(3) APPLICATION REQUIREMENTS.—To be eligible to be awarded a cooperative agreement under this subsection, an entity shall submit to the Secretary an application that includes the following:

“(A) QUALIFICATIONS.—Evidence that the entity—

“(i) meets the experience requirements of paragraph (2)(A)(i); and

“(ii) is able to carry out—

“(I) the purposes of this subsection identified in paragraph (1); and

“(II) the requirements of the cooperative agreement specified in paragraph (4).

“(B) SERVICE DELIVERY PLAN.—

“(i) DISTRIBUTION REQUIREMENTS.—Subject to clause (iii), a description of the plan of the entity to ensure the distribution of not less than—

“(I) 3,000 vouchers for mentoring services in the first year in which the cooperative agreement is in effect with that entity;

“(II) 8,000 vouchers for mentoring services in the second year in which the agreement is in effect with that entity; and

“(III) 13,000 vouchers for mentoring services in any subsequent year in which the agreement is in effect with that entity.

“(ii) SATISFACTION OF PRIORITIES.—A description of how the plan will ensure the delivery of mentoring services to children identified in accordance with the requirements of paragraph (1)(A).

“(iii) SECRETARIAL AUTHORITY TO MODIFY DISTRIBUTION REQUIREMENT.—The Secretary may modify the number of vouchers specified in subclauses (I) through (III) of clause (i) to take into account the availability of appropriations and the need to ensure that the vouchers distributed by the entity are for amounts that are adequate to ensure the provision of mentoring services for a 12-month period.

“(C) COLLABORATION AND COOPERATION.—A description of how the entity will ensure collaboration and cooperation with other interested parties, including courts and prisons, with respect to the delivery of mentoring services under the demonstration project.

“(D) OTHER.—Any other information that the Secretary may find necessary to demonstrate the capacity of the entity to satisfy the requirements of this subsection.

“(4) COOPERATIVE AGREEMENT REQUIREMENTS.—A cooperative agreement awarded under this subsection shall require the eligible entity to do the following:

“(A) IDENTIFY QUALITY STANDARDS FOR PROVIDERS.—To work with the Secretary to identify the quality standards that a provider of mentoring services must meet in order to participate in the demonstration project and which, at a minimum, shall include criminal records checks for individuals who are prospective mentors and shall prohibit approving any individual to be a mentor if the criminal records check of the indi-

vidual reveals a conviction which would prevent the individual from being approved as a foster or adoptive parent under section 471(a)(20)(A).

“(B) IDENTIFY ELIGIBLE PROVIDERS.—To identify and compile a list of those providers of mentoring services in any of the 50 States or the District of Columbia that meet the quality standards identified pursuant to subparagraph (A).

“(C) IDENTIFY ELIGIBLE CHILDREN.—To identify children of prisoners who require mentoring services, consistent with the priorities specified in paragraph (1)(A).

“(D) MONITOR AND OVERSEE DELIVERY OF MENTORING SERVICES.—To satisfy specific requirements of the Secretary for monitoring and overseeing the delivery of mentoring services under the demonstration project, which shall include a requirement to ensure that providers of mentoring services under the project report data on the children served and the types of mentoring services provided.

“(E) RECORDS, REPORTS, AND AUDITS.—To maintain any records, make any reports, and cooperate with any reviews and audits that the Secretary determines are necessary to oversee the activities of the entity in carrying out the demonstration project under this subsection.

“(F) EVALUATIONS.—To cooperate fully with any evaluations of the demonstration project, including collecting and monitoring data and providing the Secretary or the Secretary's designee with access to records and staff related to the conduct of the project.

“(G) LIMITATION ON ADMINISTRATIVE EXPENDITURES.—To ensure that administrative expenditures incurred by the entity in conducting the demonstration project with respect to a fiscal year do not exceed the amount equal to 10 percent of the amount awarded to carry out the project for that year.

“(5) VOUCHER REQUIREMENTS.—A voucher for mentoring services provided to the family of a child identified in accordance with paragraph (1)(A) shall meet the following requirements:

“(A) TOTAL PAYMENT AMOUNT; 12-MONTH SERVICE PERIOD.—The voucher shall specify the total amount to be paid a provider of mentoring services for providing the child on whose behalf the voucher is issued with mentoring services for a 12-month period.

“(B) PERIODIC PAYMENTS AS SERVICES PROVIDED.—

“(i) IN GENERAL.—The voucher shall specify that it may be redeemed with the eligible entity by the provider accepting the voucher in return for agreeing to provide mentoring services for the child on whose behalf the voucher is issued.

“(ii) DEMONSTRATION OF THE PROVISION OF SERVICES.—A provider that redeems a voucher issued by the eligible entity shall receive periodic payments from the eligible entity during the 12-month period that the voucher is in effect upon demonstration of the provision of significant services and activities related to the provision of mentoring services to the child on whose behalf the voucher is issued.

“(6) PROVIDER REQUIREMENTS.—In order to participate in the demonstration project, a provider of mentoring services shall—

“(A) meet the quality standards identified by the eligible entity in accordance with paragraph (1);

“(B) agree to accept a voucher meeting the requirements of paragraph (5) as payment for the provision of mentoring services to a child on whose behalf the voucher is issued;

“(C) demonstrate that the provider has the capacity, and has or will have nonfederal resources, to continue supporting the provision of mentoring services to the child on whose behalf the voucher is issued, as appropriate, after the conclusion of the 12-month period during which the voucher is in effect; and

“(D) if the provider is a recipient of a grant under this section, demonstrate that the provider has exhausted its capacity for providing mentoring services under the grant.

“(7) 3-YEAR PERIOD; OPTION FOR RENEWAL.—

“(A) IN GENERAL.—A cooperative agreement awarded under this subsection shall be effective for a 3-year period.

“(B) RENEWAL.—The cooperative agreement may be renewed for an additional period, not to exceed 2 years and subject to any conditions that the Secretary may specify that are not inconsistent with the requirements of this subsection or subsection (i)(2)(B), if the Secretary determines that the entity has satisfied the requirements of the agreement and evaluations of the service delivery demonstration project demonstrate that the voucher service delivery method is effective in providing mentoring services to children of prisoners.

“(8) INDEPENDENT EVALUATION AND REPORT.—

“(A) IN GENERAL.—The Secretary shall enter into a contract with an independent, private organization to evaluate and prepare a report on the first 2 fiscal years in which the demonstration project is conducted under this subsection.

“(B) DEADLINE FOR REPORT.—Not later than 90 days after the end of the second fiscal year in which the demonstration project is conducted under this subsection, the Secretary shall submit the report required under subparagraph (A) to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate. The report shall include—

“(i) the number of children as of the end of such second fiscal year who received vouchers for mentoring services; and

“(ii) any conclusions regarding the use of vouchers for the delivery of mentoring services for children of prisoners.

“(9) NO EFFECT ON ELIGIBILITY FOR OTHER FEDERAL ASSISTANCE.—A voucher provided to a family under the demonstration project conducted under this subsection shall be disregarded for purposes of determining the eligibility for, or the amount of, any other Federal or federally-supported assistance for the family.”

(2) CONFORMING AMENDMENTS.—Section 439 of such Act (42 U.S.C. 629i), as amended by subsection (a) of this section and paragraph (1) of this subsection, is amended—

(A) in subsection (a)—

(i) in the subsection heading, by striking “PURPOSE” and inserting “PURPOSES”; and

(ii) in paragraph (2)—

(I) in the paragraph heading, by striking “PURPOSE” and inserting “PURPOSES”; and

(II) by striking “The purpose of this section is to authorize the Secretary to make competitive” and inserting “The purposes of this section are to authorize the Secretary—

“(A) to make competitive”; and

(iii) by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(B) to enter into on a competitive basis a cooperative agreement to conduct a service delivery demonstration project in accordance with the requirements of subsection (g).”;

(B) in subsection (c)—

(i) by striking “(h)” and inserting “(i)”; and

(ii) by striking “(h)(2)” and inserting “(i)(2)”; and

(C) by amending subsection (h) (as so redesignated by paragraph (1)(A) of this subsection) to read as follows:

“(h) INDEPENDENT EVALUATION; REPORTS.—

“(1) INDEPENDENT EVALUATION.—The Secretary shall conduct by grant, contract, or cooperative agreement an independent evaluation of the programs authorized under this section, including the service delivery demonstration project authorized under subsection (g).

“(2) REPORTS.—Not later than 12 months after the date of enactment of this subsection, the Secretary shall submit a report to the Congress that includes the following:

“(A) The characteristics of the mentoring programs funded under this section.

“(B) The plan for implementation of the service delivery demonstration project authorized under subsection (g).

“(C) A description of the outcome-based evaluation of the programs authorized under this

section that the Secretary is conducting as of that date of enactment and how the evaluation has been expanded to include an evaluation of the demonstration project authorized under subsection (g).

“(D) The date on which the Secretary shall submit a final report on the evaluation to the Congress.”; and

(D) in subsection (i) (as so redesignated)—

(i) in the subsection heading, by striking “RESERVATION” and inserting “RESERVATIONS”; and

(ii) in paragraph (2)—

(i) by amending the paragraph heading to read as follows: “RESERVATIONS”;

(II) by striking “The” and inserting the following:

“(A) RESEARCH, TECHNICAL ASSISTANCE, AND EVALUATION.—The”; and

(III) by adding at the end the following:

“(B) SERVICE DELIVERY DEMONSTRATION PROJECT.—

“(i) IN GENERAL.—Subject to clause (ii), for purposes of awarding a cooperative agreement to conduct the service delivery demonstration project authorized under subsection (g), the Secretary shall reserve not more than—

“(I) \$5,000,000 of the amount appropriated under paragraph (1) for the first fiscal year in which funds are to be awarded for the agreement;

“(II) \$10,000,000 of the amount appropriated under paragraph (1) for the second fiscal year in which funds are to be awarded for the agreement; and

“(III) \$15,000,000 of the amount appropriated under paragraph (1) for the third fiscal year in which funds are to be awarded for the agreement.”

“(ii) ASSURANCE OF FUNDING FOR GENERAL PROGRAM GRANTS.—With respect to any fiscal year, no funds may be awarded for a cooperative agreement under subsection (g), unless at least \$25,000,000 of the amount appropriated under paragraph (1) for that fiscal year is used by the Secretary for making grants under this section for that fiscal year.”.

SEC. 9. REAUTHORIZATION OF THE COURT IMPROVEMENT PROGRAM.

Section 438 of the Social Security Act (42 U.S.C. 629h) is amended in each of subsections (c)(1)(A) and (d) by striking “2006” and inserting “2011”.

SEC. 10. REQUIREMENT FOR FOSTER CARE PROCEEDING TO INCLUDE, IN AN AGE-APPROPRIATE MANNER, CONSULTATION WITH THE CHILD THAT IS THE SUBJECT OF THE PROCEEDING.

Section 475(5)(C) of the Social Security Act (42 U.S.C. 675(5)(C)) is amended—

(1) by inserting “(i)” after “with respect to each such child.”;

(2) by striking “and procedural safeguards shall also” and inserting “(ii) procedural safeguards shall”; and

(3) by inserting “and (iii) procedural safeguards shall be applied to assure that in any permanency hearing held with respect to the child, including any hearing regarding the transition of the child from foster care to independent living, the court or administrative body conducting the hearing consults, in an age-appropriate manner, with the child regarding the proposed permanency or transition plan for the child,” after “parents.”.

SEC. 11. TECHNICAL AMENDMENTS.

(a) UPDATING OF ARCHAIC LANGUAGE.—

(1) Section 423 of the Social Security Act, as so redesignated by section 6(b)(2) of this Act—

(A) is amended by striking “per centum” and inserting “percent”; and

(B) by striking “He” and inserting “The Secretary”.

(2) Section 424(a) of such Act, as so redesignated by section 6(b)(2) of this Act, is amended by striking “per centum” and inserting “percent”.

(b) ELIMINATION OF OBSOLETE PROVISION.—Section 426 of such Act (42 U.S.C. 626) is amend-

ed by striking subsection (b) and redesignating subsection (c) as subsection (b).

(c) TECHNICAL CORRECTION.—Section 431(a)(6) of such Act (42 U.S.C. 629a(a)(6)) is amended by striking “1986” and inserting “1996”.

SEC. 12. EFFECTIVE DATES.

(a) IN GENERAL.—Except as otherwise provided in this Act, the amendments made by this Act shall take effect on October 1, 2006, and shall apply to payments under parts B and E of title IV of the Social Security Act for calendar quarters beginning on or after such date, without regard to whether regulations to implement the amendments are promulgated by such date.

(b) DELAY PERMITTED IF STATE LEGISLATION REQUIRED.—If the Secretary of Health and Human Services determines that State legislation (other than legislation appropriating funds) is required in order for a State plan developed pursuant to subpart 1 of part B, or a State plan approved under subpart 2 of part B or part E, of title IV of the Social Security Act to meet the additional requirements imposed by the amendments made by this Act, the plan shall not be regarded as failing to meet any of the additional requirements before the 1st day of the 1st calendar quarter beginning after the first regular session of the State legislature that begins after the date of the enactment of this Act. If the State has a 2-year legislative session, each year of the session is deemed to be a separate regular session of the State legislature.

(c) AVAILABILITY OF PROMOTING SAFE AND STABLE FAMILIES RESOURCES FOR FISCAL YEAR 2006.—Section 3(c) shall take effect on the date of the enactment of this Act.

In lieu of the matter proposed to be inserted by the amendment of the House to the title of the Act, insert the following: “An Act to amend part B of title IV of the Social Security Act to reauthorize the promoting safe and stable families program, and for other purposes.”.

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to the rule, the gentleman from California (Mr. HERGER) and the gentleman from Washington (Mr. MCDERMOTT) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. HERGER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HERGER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of S. 3525, the Child and Family Services Improvement Act of 2006. I would like to thank the gentleman from Washington (Mr. MCDERMOTT) and many other Members for their support of this bipartisan legislation.

This legislation reauthorizes and improves oversight and accountability of numerous child protection programs that will provide about \$4 billion during the next 5 years to help keep children safe.

In recent years, the subcommittee I chair has held a dozen hearings on our Nation's child protection system. Every witness testified about the need to reform this broken system, which

too often has lost track of children or placed them in homes where they suffered continued abuse and neglect.

The legislation before us today includes a number of provisions designed to improve the monitoring of children in foster care and to hold States more accountable for the care they provide. This legislation will require States to ensure that at least 90 percent of children in foster care are visited on a monthly basis in response to research highlighting the importance of frequent visits in promoting child safety.

This legislation also makes substantial improvements to the Child Welfare Services program. For example, this program now is permanently authorized. As a result, there has been little oversight and monitoring of the Child Welfare Services program in recent decades. This legislation will authorize this program through fiscal year 2011, ensuring that future Congresses examine this program, as improved in this bill, to make sure that it is operating properly.

This legislation also stresses preventing abuse and neglect from occurring, not just managing its effects. Among other measures, it targets new funds to a key cause of child abuse and neglect: parental drug abuse, including by parents who abuse methamphetamine, which is a major concern in my own northern California congressional district. A total of \$145 million in program funds will be available to community groups working with child welfare officials to help keep parents off drugs.

Mr. Speaker, I have highlighted just a few of the many improvements this legislation will make to our Nation's child protection system, but there is still much more work to do. Children still linger in foster care waiting for permanent families. Every year, almost 24,000 of these youths age out of foster care without a family of their own. We will continue to work to ensure this system protects these children and promotes a brighter future. We also will continue our efforts to ensure that Federal taxpayer dollars are being spent properly within these programs. Today marks one step forward towards those goals.

This legislation has the support of numerous organizations including the Children's Defense Fund, the Child Welfare League of America, and the National Indian Child Welfare Association.

I thank all the Members and staff who have worked to bring this legislation to the floor today. The Child and Family Services Improvement Act is good legislation, and I urge all my colleagues to support it.

Mr. Speaker, I rise today in strong support of S. 3525, the Child and Family Services Improvement Act of 2006. I'm pleased to be here today with the gentleman from Washington who is a cosponsor of this bipartisan legislation. I'd like to thank the many Members from both sides of the aisle for their support. This has been a truly bipartisan effort at all stages and I'm pleased we are here today to move

this legislation forward to the President for his signature.

This legislation reauthorizes and improves numerous child protection programs that combined will provide about \$4 billion during the next 5 years to keep children safe. These programs are the Promoting Safe and Stable Families program, the Child Welfare Services program, the Court Improvement program, and the Mentoring Children of Prisoners program.

S. 3525 takes an important step forward in our efforts to prevent child abuse and neglect by keeping families together and preventing, whenever possible, the unnecessary separation of children from their families. Over the past 6 years, the subcommittee that I chair has held 12 hearings to explore our Nation's child protection system. Every witness has testified to improvements and reforms that are necessary to fix this broken system. The legislation before us today includes a number of provisions that address these issues we have heard so much about.

First, time and time again we have seen stories of children lost by caseworkers, children who have gone missing in the foster care system, or even worse, children who have suffered abuse in homes in which they are placed. No one who sat through these hearings will soon forget the images of four boys in New Jersey who were starved by their adopted parents and were discovered by a neighbor rummaging for food in the trash. There is little doubt that States need to increase oversight and monitoring of these children and the legislation before us today will ensure that happens.

S. 3525 will require all States to ensure at least 90 percent of children in foster care are visited on a monthly basis by their caseworker, and to ensure that the majority of these visits occur in the child's residence. States will work with the Department of Health and Human Services to establish targets to reach this goal by fiscal year 2012. In any year in which a State fails to reach its target, we will continue to make the State's full Federal allotment available to them but the State will need to increase their own spending in order to access those funds. Further, to help States achieve this standard, the legislation directs \$95 million to be spent on activities that help ensure children are visited on a monthly basis and that these visits are well-planned and focused on assessing the child's safety and well-being.

Second, we have heard repeatedly how Federal funds for child welfare disproportionately assist kids after they have been removed from their homes, instead of preventing the abuse or neglect that results in the need for their removal in the first place. This legislation will encourage States to invest more dollars in activities that keep families together when appropriate by limiting the amount that can fund basic administrative costs as well as by targeting these dollars for prevention and family support services. Also, States will be required to submit actual spending data for these programs, which will enhance our oversight of State activity on behalf of these children.

And third, substance abuse by parents and caretakers, particularly abuse of methamphetamine, is having a substantial impact on the child welfare system in some areas. This legislation will direct \$145 million for grants to law enforcement personnel, court personnel, and others involved with the child welfare system

to partner with the State child welfare agency to devise solutions to this problem.

I'm pleased this legislation continues the Mentoring Children of Prisoners program and provides for a voucher pilot program to expand the availability of mentoring services for children. There are approximately 4,000 mentoring organizations nationwide, and these vouchers will enable families to select an organization from which children can receive these important services. Few dispute the tremendous impact a mentor can have in the life of a troubled child. I'm very pleased we have reached an agreement to include this program, a priority of the Bush administration, in this legislation.

Mr. Speaker, I've highlighted just a few of the many improvements this legislation will make to our Nation's child protection system. But there is still much more work to do. Children linger in foster care waiting for permanent families. Every year almost 20,000 of these youths age out of foster care without a family of their own. We will continue to work to ensure this system protects these children and promotes a brighter future for them. Today is a major step forward towards that goal.

I thank all the Members and staff who have worked to bring this legislation to the floor today. This legislation has the support of numerous child welfare organizations, including the Children's Defense Fund, Catholic Charities USA, Mentor, and the National Indian Child Welfare Association.

This is an excellent bill and I urge all my colleagues to support it. Attached below is a summary of the legislation.

REPORT ACCOMPANYING S. 3525, THE CHILD AND FAMILY SERVICES IMPROVEMENT ACT OF 2006, AS AMENDED

PREPARED BY THE STAFF OF THE U.S. HOUSE COMMITTEE ON WAYS AND MEANS AND THE U.S. SENATE COMMITTEE ON FINANCE—SEPTEMBER 26, 2006

Section 1—Short title

“The Child and Family Services Improvement Act of 2006”

Section 2—Findings

The legislation makes a number of findings regarding the provision of services under two child welfare programs authorized under Title IV-B of the Social Security Act, the Child Welfare Services (CWS) program and the Promoting Safe and Stable Families (PSSF) program. The findings note the importance of monthly caseworker visits in improving outcomes for children. They also outline the relationship between the entry of children into the child welfare system and their parent's abuse of methamphetamine and other substances.

Section 3—Reauthorization of the Promoting Safe and Stable Families Program

Current Law

For fiscal year (FY) 2006, authorizes mandatory funding of \$345 million for the Promoting Safe and Stable Families (PSSF) program (Title IV-B, Subpart 2 of the Social Security Act) and discretionary funding of \$200 million for each of FYs 2002 through 2006.

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The legislation extends the mandatory PSSF funding authorization of \$345 million for five years (FYs 2007 through 2011) and extends the discretionary funding authorization of \$200 million for each of those same five years. The legislation expands the reporting requirement to include both proposed spending and actual spending under

the CWS and PSSF programs, and at State option, other programs that support child abuse prevention activities and child welfare services. The legislation also prohibits HHS from making any payment of PSSF funds to a State for administrative costs that exceed 10 percent of total program expenditures (Federal and non-Federal) of a State.

Reason for Change

The PSSF program supports four categories of services provided to children and families: family preservation services, community-based family support services, time-limited reunification services, and adoption promotion and support services. The legislation recognizes the importance of encouraging States to invest in these activities. Thus the legislation provides for the \$200 million increase in mandatory PSSF funds over the next five years included in the Deficit Reduction Act of 2005 (P.L. 109-171). In total \$345 million in mandatory funds (the recent \$305 million allotment of annual mandatory funds, plus a \$40 million annual increase provided under the Deficit Reduction Act of 2005) will be provided in each of FYs 2007 through 2011.

The legislation also will ensure better oversight and accountability of spending under the CWS and PSSF programs by requiring States to report on projected and actual spending under these two programs. Specifically, data on actual spending will help track State investments for the four priorities of the PSSF program.

Section 4—Targeting of Promoting Safe and Stable Families Program resources

Current Law

Current law requires States to include assurances in their PSSF plan that they will spend significant portions of their PSSF funds in each of four priority areas: (1) family preservation services; (2) community-based family support services; (3) time-limited family reunification services; and (4) adoption promotion and support services.

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The legislation retains the four priorities of PSSF while targeting the additional \$40 million per year provided under the Deficit Reduction Act of 2005 (P.L. 109-171) to two new priorities: (1) support for monthly caseworker visits; and (2) competitive grants to promote the well-being of children in or at risk of placement in the child welfare system as a result of their parent's abuse of methamphetamine or other substances.

The legislation provides a total of \$95 million to States to support monthly caseworker visits of children in foster care under the responsibility of the State, with a primary emphasis on activities designed to improve caseworker retention, recruitment, training, and ability to access the benefits of technology. States will receive \$40 million from FY 2006 PSSF funds (with these funds available through FY 2009), \$5 million in FY 2008, \$10 million in FY 2009, and \$20 million in each of FYs 2010 and 2011 to support monthly caseworker visits. States cannot use these funds to supplant any Federal funds already paid to the State under the Title IV-E program that could be used for the purposes outlined above.

To promote the well-being of children affected by their parent's abuse of methamphetamine or other substances, the legislation provides a total of \$145 million to the Secretary of the Department of Health and Human Services (HHS) to award competitive grants to regional partnerships to pursue innovative approaches to help children and families. Funding will be \$40 million in FY 2007, \$35 million in FY 2008, \$30 million in FY 2009, and \$20 million in each of FYs 2010 and 2011. Partnerships must include the State

child welfare agency or an Indian tribe and at least one other eligible partner, including: child welfare service providers (non-profit and for-profit), community providers of health or mental health services, local law enforcement agencies, judges and court personnel, juvenile justice officials, school personnel, the State agency responsible for administering the substance abuse prevention and treatment block grant (authorized under Title XIX-B, Subpart II of the Public Health Services Act), and any other providers, agencies, personnel, officials or entities related to the provision of child and family services. Grants of between \$500,000 and \$1 million per year will be awarded for 2 to 5 year periods.

A priority will be given to grant applications that propose to combat methamphetamine abuse, given its substantial affect on child welfare in some areas. Funding for the grants must be used to support the purposes of this program, which may include family-based comprehensive long-term substance abuse treatment services, early intervention and prevention services, mental health services, parent skills training, and replication of successful models for providing family-based comprehensive long-term substance abuse treatment services. Grantees must provide a 15 percent match in the first and second year, a 20 percent match in the third and fourth year, and a 25 percent match in the fifth year. In-kind contributions can qualify towards the match requirement. The Secretary of HHS must consult with State leaders to develop performance indicators and reporting is required of all grant recipients.

The legislation also redirects current PSSF research funding to support evaluation, research, and technical assistance related to the above two PSSF funding priorities. In each of FYs 2007 through 2011, at least \$1 million must be spent for research and technical assistance activities that support monthly caseworker visits and at least \$1 million must be spent for research and technical assistance activities with respect to the competitive grant program to promote the well-being of children in or at risk of placement in the child welfare system due to a parent's abuse of methamphetamine or other substances.

Reason for Change

The targeting of funds to support monthly visits of foster children is in response to research highlighting how monthly visits lead to better outcomes for children. The Child and Family Service Reviews (CFSRs) completed in each State found a strong correlation between frequent caseworker visits with children and positive outcomes for children, such as timely achievement of permanency and other indicators of child well-being. However, despite the fact that nearly all States had written standards suggesting monthly visits were State policy, a December 2005 report completed by the HHS Office of the Inspector General found that only 20 States were able to produce reports showing whether caseworkers actually visited children in foster care on at least a monthly basis. States are encouraged to invest these resources in those activities with proven effectiveness in supporting monthly caseworker visits of foster children and should be cognizant that these funds may not supplant what States already spend from their Title IV-E programs for these activities. These resources are intended to increase State investment in these important areas.

Parental substance abuse is a well-known problem affecting the child welfare system, and the Office of Applied Studies of the Substance Abuse and Mental Health Services Administration reported that the number of new uses of methamphetamines (meth) has

increased 72 percent in the past decade. A study by the National Association of Counties which surveyed 300 counties in 13 States reported that meth abuse is a major cause of child abuse and neglect. Forty percent of all the child welfare officials in the survey reported an increase in out-of-home placements due to meth abuse in 2005.

Section 5—Allotments and Grants to Indian Tribes

Current Law

Requires that 1 percent of all mandatory PSSF funds, and 2 percent of any discretionary appropriations for the PSSF program, be set aside for tribal programs. (The minimum tribal funding provided is \$3.45 million and the maximum annual tribal funding possible is \$7.45 million.)

Out of the tribal funds reserved, Indian tribes or tribal organizations with an approved plan must be allotted PSSF funds (based on the relative share of tribal persons under age 21 but only among tribes or tribal organizations with approved plans). The Secretary of HHS may exempt a tribe from any plan requirement that it determines would be inappropriate for that tribe (taking into account the resources, needs, and other circumstances of that tribe). However, no tribe or tribal organization may have an approved plan (or receive funds) unless its allotment is equal to at least \$10,000. Funds allotted are paid directly to the tribal organization of the Indian tribe to which the money is allotted.

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The legislation increases the set-aside for tribal programs to 3 percent of any discretionary funds appropriated. It also increases the set-aside for tribal programs to 3 percent of the mandatory funds authorized and which remain after the separate reservation of funds is made for (1) monthly caseworker visits, and (2) competitive grants to combat methamphetamine and other substance abuse. Therefore, the minimum funding available per year for tribal programs would be \$9.15 million and the maximum funding would be \$15.15 million. The legislation eliminates the ability of the Secretary of HHS to exempt tribes from the PSSF plan requirements related to nonsupplantation, data reporting, and monitoring. However, the Secretary retains the ability to waive for Indian tribes the PSSF requirement to invest significant amounts of program funds in each of the four PSSF activities and to spend no more than 10 percent of PSSF funds on administrative costs.

The legislation also permits tribal consortia to have access to an allotment of PSSF funds (and related technical assistance) on the same basis as such funds are currently available to Indian tribes. A tribal consortium's allotment is to be determined based on the number of tribal persons under age 21 in each tribe that is a part of the tribal consortium. If tribes choose to apply collectively as a consortium, the population of tribal persons under age 21 for each tribe would be combined in order to determine the size of the grant to the consortium, including whether the consortium meets the \$10,000 eligibility threshold in the Act. A tribal consortium could select which Indian tribal organization (among the tribes in the consortium) would receive the direct payment of its allotment.

Reason for Change

The legislation recognizes the importance of assisting tribes in their efforts to assist abused and neglected children. The legislation significantly increases the amount of funds provided to tribes and allows tribal consortia to apply for PSSF funds. This step is being taken to encourage the further de-

velopment of tribal child welfare programs, which largely serve severely disadvantaged communities and families and can do so in a culturally appropriate manner. Permanency outcomes for Indian children can be improved if tribal consortia are able to have access to an allotment of PSSF funding on the same basis as is currently available to Indian tribes. This will facilitate smaller tribes' building their own programs and will allow for administrative efficiencies in tribal program administration.

To collect additional data and ensure proper oversight of these funds, tribes and tribal consortia interested in applying for this substantial increase in PSSF funds will be required to adhere to the same data and monitoring plan requirements as States. This additional data will inform how these funds have helped the tribes better ensure the safety, permanency, and wellbeing of tribal children.

Section 6—Improvements to the Child Welfare Services (CWS) Program

Current Law

Up to \$325 million annually is authorized on an indefinite basis for the Child Welfare Services (CWS) program, which provides funds to States to support a wide range of child welfare activities. Federal funding represents 75 percent of total funding for this program, and States are required to contribute 25 percent of total CWS funding from State funds.

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The legislation maintains the annual discretionary authorization level of \$325 million per year but limits the funding authorization to FYs 2007 through 2011. The legislation also specifies that the purpose of the CWS program for which funds may be expended is to promote State flexibility in the development and expansion of a coordinated child and family services program that utilizes community-based agencies and that ensures all children are raised in safe, loving families, by: (1) protecting and promoting the welfare of all children; (2) preventing the neglect, abuse, or exploitation of children; (3) supporting at-risk families through services which allow children, where appropriate, to remain safely with their families or return to their families in a timely manner; (4) promoting the safety, permanence and well-being of children in foster care and adoptive families; and (5) providing training, professional development and support to ensure a well-qualified child welfare workforce.

The legislation eliminates the plan requirements related to child day care standards and those related to the use of paraprofessionals or volunteers and restates and rennumbers the remaining provisions with generally the same intent. It rewrites the provision concerning policies and procedures for children abandoned shortly after birth to assert that a State must have in effect administrative and judicial procedures for children who are abandoned at or shortly after birth (including policies and procedures providing for legal representation of the children) to ensure expeditious decisions can be made for their permanent placement. Further, it clarifies that the State may include residential educational programs as a living arrangement for children for whom reunification, adoption, or guardianship have been ruled out as permanency goals. This provision does not undermine current State policies regarding placement of children in adoptive homes and does not eliminate the 25 bed policy.

Beginning October 1, 2007 (i.e. the beginning of FY 2008), the legislation limits administrative funding to 10 percent, but defines administrative funds to exclude caseworker services and supervision of such services. Also beginning in FY 2008, the legislation limits how much each State can expend from Federal CWS funding for foster care maintenance payments, adoption assistance payments, or child day care to what the State can show that it spent for such purposes in FY 2005. Further, beginning with FY 2008, States are not allowed to use State spending on foster care maintenance payments to meet the State matching requirement to receive Federal CWS funds in amounts that exceed what the State spent from such funds in FY 2005.

The legislation also adds new requirements to the CWS plan the State submits to (1) describe how the State consults with and involves physicians and other appropriate medical professionals in the assessment of children in foster care and in determining appropriate medical treatment, and (2) develop a plan on how to respond, track and continue care for children receiving child welfare services in the event of a disaster.

Reason for Change

The legislation will reorganize and update the CWS program and encourage more effective oversight. It also aligns the program to be coterminous with the reauthorization of the PSSF program to allow for better coordination between the two programs. It will encourage States to invest funding in prevention services, but allows each State to maintain in the coming years its FY 2005 level of spending from Federal CWS funds for foster care, adoption assistance and child care purposes. It adds a new State planning requirement to ensure consultation with medical professionals as well as State planning to continue the availability of child welfare services during a disaster.

Section 7—Monthly Caseworker Standard

Current Law

There is no minimum Federal standard for monthly visits of foster children in State custody.

S. 3525

The legislation requires the State to update its CWS State plan by October 1, 2007 to describe its standards for the content and frequency of caseworker visits of foster children in State custody, which at a minimum must ensure that children are visited on a monthly basis and that the caseworker visits are well-planned and focused on issues pertinent to case planning and service delivery to ensure the safety, permanency, and well-being of children.

The legislation also sets a minimum Federal standard requiring each State and territory to achieve by October 1, 2011 monthly caseworker visits for at least 90 percent of foster children in State custody, with the majority of those visits occurring in the child's residence. Each State and territory would be held accountable for its efforts and the legislation prescribes a planning process to achieve this goal. To receive FY 2008 CWS funds, States must submit to HHS data for FY 2007 on the percentage of foster children visited on a monthly basis by their caseworker and the percentage of those visits that occurred in the child's residence. Based on this data, HHS will work with each State to set target levels for the State to meet to achieve a 90 percent monthly visitation standard by FY 2012 and will establish these target levels by June 30, 2008. Then, beginning in FY 2009, States must achieve their annual goal for the percentage of caseworker visits and the percentage of visits that occur in the child's residence, or face an enhanced

matching requirement in order to draw down their full allotment of Federal CWS funds. The share of non-Federal spending that is required in a State that does not meet its visitation target level in a year increases by a minimum of 1 percentage point, up to a maximum of 5 percentage points, depending on the degree to which the State has missed its target level; absent the commitment of additional State funds, Federal funds would be reduced to yield the modified State share of overall CWS funding, consistent with the degree of the State's failure to achieve its visitation target for that year.

No later than March 31, 2010, HHS must submit to the House Committee on Ways and Means and the Senate Committee on Finance a report that outlines the progress States have made in meeting their caseworker visitation standards and that offers recommendations, developed in consultation with State administrators of child welfare programs and members of State legislatures, to assist States in meeting this standard.

Reason for Change

Holding States accountable for achieving monthly caseworker visits for at least 90 percent of foster children responds to research highlighting how monthly visits lead to better outcomes for children. HHS shall work with the States to establish a plan to achieve this goal by FY 2012 and States are encouraged to invest the new PSSF resources provided in FY 2006 and later fiscal years in activities that have been shown to be effective in achieving increased caseworker visitation of foster children. The above accountability measure will ensure that, even in the case of a State that fails to fulfill its specified level of caseworker visits, the full Federal CWS allotment to a State will remain available so long as that State increases its State CWS spending modestly, according to the provisions of the legislation.

Section 8—Reauthorization of Program for Mentoring Children of Prisoners

Current Law

The Mentoring Children of Prisoners program is administered by HHS and makes competitive grants to support the establishment or expansion and operation of programs that provide mentoring services to children of prisoners.

S. 3525

The legislation reauthorizes the existing Mentoring Children of Prisoners program through FY 2011 at such sums as may be necessary and increases the HHS set-aside for research, technical assistance, and evaluation from 2.5 percent to 4 percent. It authorizes a new 3-year pilot program to provide vouchers to qualified mentoring groups to offer services to individual children of prisoners, but specifies both annual caps on funding for this purpose and that at least \$25 million must be available each year for site-based grants provided under the program. The voucher pilot program will be administered by a national group that will work closely with HHS to manage the program with the goal to distribute at least 3,000 vouchers in the first year, 8,000 vouchers in the second year and 13,000 vouchers in the third year. The legislation specifies that the national group must identify in its voucher distribution plan how the group will prioritize providing vouchers to children in areas which have not been served under the current site-based mentoring program. During the third year of this pilot HHS shall provide a report based on an independent evaluation to the House Committee on Ways and Means and the Senate Committee on Finance on the number of children who received vouchers for mentoring services and

any conclusions regarding the voucher pilot program's effectiveness.

Reason for Change

The continuation of the Mentoring Children of Prisoners program will enable public and private organizations to establish or expand projects that provide one-on-one mentoring for children of incarcerated parents and those recently released from prison. At the same time, children have not been able to access mentoring services in some States and rural areas because of the absence of a site-based grant to provide this service. The voucher pilot program will evaluate the effectiveness of using vouchers to expand the delivery of mentoring services to children of prisoners, including to children in rural and underserved areas.

Section 9—Reauthorization of the Court Improvement Program

Current Law

For each of FYs 2002 through 2006, an eligible highest State court (with an approved application) is entitled to a share of funds to assess and make improvements to its handling of child welfare procedures. A set-aside of \$10 million from the mandatory funds authorized and 3.3 percent of any discretionary appropriation is provided from the PSSF program to support the Court Improvement Program. To receive its full allotment of these funds the court, in each of FYs 2002 through 2006, is required to provide at least 25 percent of the expenditures for this purpose.

S. 3525

The legislation reauthorizes the funding for the Court Improvement Program for 5 years, through FY 2011.

Reason for Change

The Court Improvement Program has played an important role in assisting State courts in their efforts to expedite judicial proceedings for at-risk children. The legislation will ensure these funds continue to remain available, and is in addition to the \$100 million provided over FYs 2006 through 2010 under the Deficit Reduction Act of 2005 (P.L. 109-171) to support training and data collection efforts of State courts.

Section 10—Requirement for foster care proceedings to include, in an age-appropriate manner, consultation with the child that is the subject of the proceeding

Current Law

Current law does not include a standard for consulting with children in court proceedings.

S. 3525

The legislation requires States to assure that in any permanency hearing held with respect to the child, including any hearing regarding the transition of the child from foster care to independent living, the court or administrative body conducting the hearing consults in an age-appropriate manner with the child regarding the plan being proposed for the child.

Reason for Change

Each child deserves the opportunity to participate and be consulted in any court proceeding affecting his or her future, in an age-appropriate manner.

Section 11—Technical amendments

Section 12—Effective dates

The legislation will become effective on October 1, 2006, except for provisions with other specified effective dates or if HHS determines that a State legislature must act before the State can comply with the changes.

Mr. Speaker, I reserve the balance of my time.

Mr. McDERMOTT. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of Senate bill 3525, the Child and Family Services Improvement Act. By passing this legislation, we will better protect our most vulnerable children, the children who are abused and neglected in our society.

This legislation would not have been possible without the leadership and compassion of Mr. WALLY HERGER, the chairman of the Human Resources Subcommittee. I thank him for that, and I recognize the efforts of his staff to collaborate with me and others to write legislation that will make a difference in the lives of vulnerable kids.

For many of these children, we are the last line of defense, separating hope from despair. The Child and Family Services Improvement Act is a lifeline that will save lives. Today, we are first responders to children who need us to rescue them for abuse and neglect.

S. 3525 combines the key features of the legislation we worked together to pass in this House in July, and the bill includes several important provisions authored by the Senate. So it is truly collaborative, both bicameral and bilateral here. This legislation is an example of what is possible when we forget party labels and work together for the common good.

We know the problems confronting our Nation's child welfare system are staggering. We won't solve them all in one day or with one bill. This Improvement Act is not a comprehensive solution. It is, however, a modest but important step in the right direction, a step that can save the lives of abused and neglected children.

This legislation extends for 5 years the Promoting Safe and Stable Families Program. This is the largest source of Federal funding dedicated to preventing child abuse, to safely reuniting troubled families, and promoting adoption when kids can't return home.

The bill also brings the mandatory funding that Indian tribes receive from this program better in line with what the tribes really deserve, and I am proud to say that the measure does more than merely continue current resources.

In this legislation, we fought to recognize the importance of a consistent interaction between caseworkers and foster children. We do this by including meaningful incentives for States to make progress toward ensuring that children in foster care are checked on at least once a month by qualified State caseworkers. Caseworkers are the first responders for children. We recognize that in this legislation, and we support them.

Here is how we do it: To assist the States in assuring that children are visited by first-rate caseworkers, the bill provides States an additional \$95 million over the next 5 years to improve their child welfare workforce. These funds will be used to enhance the

retention, recruitment, and training of caseworkers, as well as increase their access to useful technology. I personally see this investment as a down payment in the people who are best able to protect vulnerable kids.

The current level of turnover for child welfare caseworkers, that is, tenure on the job, is less than 2 years. That is detrimental to the well-being of foster kids.

Our legislation also makes progress on another issue that threatens the welfare of children. That is substance abuse. Building on a proposal that originated in the Senate, the bill will provide competitive grants for States and community based organizations to launch really a rescue mission for families and children whose health and safety are threatened by their parents' substance abuse problems. We are going to be proactive, and we are going to address this issue and meet the needs head on.

This new grant program would have a special focus on methamphetamine drug use because of the dramatic destabilizing effect it has on families. However, the grants also could be provided to organizations combating other serious drugs, such as heroin and crack cocaine.

I would also like to highlight a provision in this bill that would require the States to have disaster preparedness plans for their child welfare programs. This would require procedures to track displaced foster kids, identify children who may be newly in need of child welfare services because of disaster, preserve essential records, and have a process for communicating and coordinating with other States.

We really don't have to look any further than what happened in this country in Hurricane Katrina to understand why such a requirement is necessary, or to the report I requested the Government Accounting Office conduct, showing that the States are lacking in any kind of plan.

Finally, this bill would extend for 5 years a program that helps our court system track child welfare cases and a program that provides mentoring services for children of prisoners. We will also try a limited demonstration project to test the feasibility and effectiveness of providing services through vouchers.

Today, we have an opportunity to launch a rescue mission for vulnerable kids. I strongly urge Members to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. HERGER. Mr. Speaker, I yield 4 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON), who is an active member of the committee and a former chairman of the committee.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise today to support this legislation; and I am very pleased that it is a bipartisan approach to strengthening our Child and Family Services Improvement Act.

We have heard a great deal during our work on the Human Resources Subcommittee about the Federal Government spending a lot of money reimbursing States to remove children from their homes and place them in foster care. If the State does not remove the child under our Federal foster care program, the Federal Government keeps the funds. It is the only Federal program that actually pays States to remove children from their homes. That is why this legislation is so critical and so important.

Unlike the problematic Federal foster care system, the money in Safe and Stable Families goes to States to target at-risk families, helping States treat the child in their homes, prevent abuse and neglect, and adjust the entire family system to place child outcomes and family permanence above family breakups and foster care.

Pediatricians and teachers will tell you they know early on which families will struggle. We need more community based solutions focused on earlier intervention as well as treatment and care management, which is why I am pleased we are reauthorizing this important legislation and adding a number of provisions to it. One will add \$40 million annually. Twenty million of this money will go to increase the number of home visits caseworkers make to at-risk families. This will certainly strengthen the preventative and care quality of our family support systems.

But the other \$20 million will increase funding for substance abuse treatment, and I am particularly pleased about that \$20 million. As the former Chair of a child guidance clinic many years ago, ever since that day right up to the present day, most experts in this field will tell you that where a family is having difficulty, there is substance abuse. Some member of that family is probably having trouble with alcohol or more serious drugs. So I am very pleased that we are putting some additional dollars behind making substance abuse treatment available to members of these families as we also move to a more holistic approach to strengthening families to prevent the outplacement of children in foster care.

I also want to mention the extension of the Court Improvement Program because this has made a very great difference at the local level in our ability to manage these families, to help these families, to put the appropriate services in place to support them, and has also revealed the great lack of community based services to the court in the service of these families. So that is a very important provision that was introduced by my colleague, Congresswoman DEB PRYCE. As a former judge, she understood the great need for us to better educate the judiciary on the options for children and families, to strengthen those families rather than outplace their children.

I also want to commend the chairman and ranking member on their

strengthening of the Mentoring Children of Prisoners Program because this, too, helps prepare the ground for a prisoner to return to an active parenting role and strengthens thereby not only the prisoner but also the children.

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Mr. McDERMOTT. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. STARK).

(Mr. STARK asked and was given permission to revise and extend his remarks.)

Mr. STARK. Mr. Speaker, I thank the gentleman for yielding me the time.

I support 3525 and urge my colleagues to support it. I thank Mr. HERGER and Dr. McDERMOTT for their work in guiding this bill through committee and maintaining funding for case worker improvements and home visits.

The gentlewoman from Connecticut mentioned that she had been on the committee. I have actually been on the committee since the day it was organized in 1975. And the work we are doing here today, led by our chairman, reminds me of much of the bipartisan improvements that have been brought to the support systems for disadvantaged people and children.

There is a lot more to do. There are 800,000 kids who spend time in foster care each year, and the people who provided case work support are understaffed, underpaid, overworked. This bill will go a good ways toward helping them.

In the last report that we had from GAO, we found that in 1999, of the children who aged out, turned 19, out of foster care, that 40 percent of them became dependent on public assistance and Medicaid.

Fifty-one percent were unemployed. Twenty-five percent had spent some time homeless. Twenty-seven percent of the males had been incarcerated at least once.

In the next 15 years we are going to have 300,000 or more foster kids age out, without any transition support. So now I hope that the chairman will join with me and the ranking member as we proceed to see what we can do to make that transition, provide support during those periods of transition so that the foster kids can enter the adult world and become independent and supportive members of society as I know the Chair would like.

I would like to mention one issue, and see if I could indulge the chairman in a brief dialogue on this. There is a practice that just became apparent to us that the Social Security benefits which some of the foster children get, either because they are disabled or their parents have died, they get a Social Security benefit, a small one.

That benefit in almost all States is taken by the States. If the children had a parent alive, that benefit could very well be saved for these children, and when they age out of foster care, could

be used for college education, job training, perhaps to buy a car so they could get to their job. And I hope that the Chair would join with me so that we can study the possibility of finding a way to save those Social Security benefits for those children who would not have a parent or would be disabled, so that it will help them in their transition to a responsible adulthood.

I yield to the gentleman from California.

Mr. HERGER. Mr. Speaker, I would like to thank the gentleman from California (Mr. STARK) for your work in this area. I thank you for your support and work on this specific legislation.

I look forward to working with you on the issue that you have just outlined, this issue, and many other issues in this area.

Mr. STARK. I thank the gentleman.

Mr. McDERMOTT. Mr. Speaker, in closing, I would only point out that this bill has been supported by the Child Welfare League of America, Children's Defense Fund, Catholic Charities, Conferences of State Court Administrators and Chief Justices, the Center For Law and Social Policy, Fight Crime, Invest in Kids, the Mentoring Partnership, the National Indian Child Welfare Association, the National Congress of American Indians, the Association of American Indian Affairs.

Mr. Speaker, I think it is a good bill, and it ought to pass by a voice vote.

Mr. Speaker, I yield back the balance of my time.

Mr. HERGER. Mr. Speaker, the Child and Family Services Improvement Act is good legislation that will help ensure the safety of vulnerable children. It will hold States accountable for visiting children in foster care on at least a monthly basis.

It will target existing resources to help States and local communities address the impact of parental substance abuse on child welfare programs. Again, I would like to thank the gentleman from Washington (Mr. McDERMOTT) and all of my colleagues on both sides of the aisle for their work in crafting this legislation.

Mr. Speaker, I believe it will take an important step towards improving our Nation's child protection system.

Mr. STARK. Mr. Speaker, I rise today to commend my colleagues on both sides of the aisle for working together to produce this important legislation. I would like to especially thank the gentleman from California, Mr. HERGER, Chairman of our Human Resources subcommittee, and the gentleman from Washington, Dr. McDERMOTT, Ranking Member on our subcommittee, for their work in guiding this bill through and reaching a compromise with our Senate counterparts. This bill is an important, although by no means final, step toward improving our child welfare system and providing hope and a bright future to the 800,000 children that spend time in foster care each year. I urge my colleagues to vote yes.

For far too long many foster children and abused children have suffered because their caseworkers are underpaid, overworked, and

turnover frequently. A 2003 GAO report concluded that frontline caseworkers should not handle more than 18 cases at a time. Yet data collected by the American Public Human Services Association (APHSA) showed that caseworkers around the country handle an average of 24–31 cases simultaneously. The GAO also found that the average tenure of caseworkers was less than 2 years.

There is a direct relationship between positive outcomes for foster children and the frequency and quality of their interaction with their caseworkers. The more frequent the visits, the safer children are and the better chance they have of gaining permanency. Improving states' abilities to recruit, train, and retain highly skilled caseworkers is one concrete way to help our most vulnerable children.

This bill includes \$95 million in funding over 6 years for workforce improvements with the goal of ensuring that 90 percent of foster children are visited by their caseworker at least once a month. This funding is a great first step and one worthy of applause. Mr. HERGER and Dr. McDERMOTT showed tremendous leadership in reaching a compromise with the Senate that maintained funding for caseworker improvement. However, we should not expect that such a relatively small amount of money will transform a troubled system overnight. There is more that we must do in this and other areas to bring about positive changes for foster children.

Fixing our child welfare system has repercussions throughout our society. Foster children who age out of the child welfare system without having developed family supports or skills that can lead to employment create a large societal cost. Consider that a 1999 GAO report found that 40 percent of adults who had aged out of foster care were dependent on public assistance or Medicaid. 51 percent were unemployed; 25 percent had experienced homelessness; 27 percent of males had been incarcerated at least once. In the next 15 years 300,000 foster children will age out of care without any transition supports. This body has a moral obligation to do all we can to confront these sad realities.

Even as I celebrate the progress that the bill before us today represents, I call on my colleagues on both sides of the aisle to take the next step and implement changes that will provide support for children transitioning out of foster care. One such change would be to eliminate the scandalous state practice of robbing foster children of their social security benefits. Nearly every state in the nation confiscates foster children's disability and survivor's benefits when those children are under the responsibility of the state. If this practice were prohibited, foster children could use the money that rightly belongs to them for job training, housing, and transportation expenses. These funds would ease foster children's transition to adulthood and provide them with hope for the future.

I urge you to support the bill before us, but please remember that we still have work to do.

Mr. HERGER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. HERGER) that the House suspend the rules and concur in the Senate amendments to the House amendments to the Senate bill, S. 3525.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendments to the House amendments to the Senate bill were concurred in.

A motion to reconsider was laid on the table.

PERMITTING EXPENDITURES FROM LEAKING UNDERGROUND STORAGE TANK TRUST FUND

Mr. CHOCOLA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6131) to permit certain expenditures from the Leaking Underground Storage Tank Trust Fund.

The Clerk read as follows:

H.R. 6131

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXPENDITURES PERMITTED FROM THE LEAKING UNDERGROUND STORAGE TANK TRUST FUND.

(a) IN GENERAL.—Subsection (c) of section 9508 of the Internal Revenue Code of 1986 is amended—

(1) by striking “section 9003(h)” and inserting “sections 9003(h), 9003(i), 9003(j), 9004(f), 9005(c), 9010, 9011, 9012, and 9013”, and

(2) by striking “Superfund Amendments and Reauthorization Act of 1986” and inserting “Public Law 109-168”.

(b) CONFORMING AMENDMENTS.—Section 9014(2) of the Solid Waste Disposal Act is amended by striking “Fund, notwithstanding section 9508(c)(1) of the Internal Revenue Code of 1986” and inserting “Fund”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. CHOCOLA) and the gentleman from Washington (Mr. McDERMOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

GENERAL LEAVE

Mr. CHOCOLA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. CHOCOLA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 6131, a bill that would permit certain expenditures from the Leaking Underground Storage Tank Trust Fund. I want to thank the Energy and Commerce Committee for their leadership in assisting to move this bill forward, and I urge my colleagues to join me in passing this legislation.

Moneys appropriated from the Leaking Underground Storage Tank Trust Fund, which is often referred to as the LUST trust fund, are used for detection, prevention and clean-up of leaking underground storage tanks in order

to reduce water pollution. This bill would codify within the Internal Revenue Code an updated list of permitted expenditures from the fund as sought by the Energy and Commerce Committee and the Environmental Protection Agency within the Energy Policy Act of 2005.

This bill should not be controversial, as it is in everyone's interest to keep our Nation's drinking water from being contaminated. In addition, the bill has no spending or revenue effect.

H.R. 6131 will allow the LUST trust fund to be used for expanding corrective action in response to releases from underground storage tanks, including those containing MTBEs, and will provide additional measures to protect groundwater.

It will expand Federal and State enforcement efforts, improve prevention measures and compliance, and expand inspections of underground storage tanks. Mr. Speaker, we have the opportunity today to join together and continue our efforts to keep our Nation's water supply clean. I urge my colleagues to vote in favor of this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. McDERMOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill before us, H.R. 6131, does some good. It would change the rules regarding the Leaking Underground Storage trust fund and allow these funds to address the MTBE leaks. That is shorthand for gasoline additives in underground tanks at your neighborhood gas station.

MTBE leaks are dangerous and destructive, and this legislation will amend the energy bill in a good way. Unfortunately, these additives get into water and create problems for human beings. The legislation does nothing to address the other dangers and destructive leaks in the President's energy policy, however. It does not amend the bill to repeal the tax giveaways the President's energy bill gives Big Oil.

It does not repeal the \$30 billion in corporate welfare Republicans have given to Big Oil and their energy companions. It does not make America less dependent on oil, and it does not make America less vulnerable to nations that have the oil resources that we need.

Oil and gas companies continue to line their pockets with American taxpayer dollars. The Republicans have delivered billions in tax breaks last year. That was after the Republicans handed over billions in 2004. Republicans gave oil companies a sweetheart tax break that climbs in value as the process and profits claim. You pay and pay, while they keep and keep.

That sums up the Republican energy policy. Today, we should act to stop one big leak in the Nation's energy policy. It will take removing Republicans in the midterm election to begin to plug the other big leaks in the Republican energy policy.

Mr. Speaker, I reserve the balance of my time.

Mr. CHOCOLA. Mr. Speaker, I continue to reserve the balance of my time.

Mr. McDERMOTT. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. SOLIS).

Ms. SOLIS. Mr. Speaker, I also rise today to discuss H.R. 6131, legislation to make technical corrections to the Energy Policy Act of 2005. We are here today to make these technical corrections because of the hastily drafted Energy Policy Act of 2005.

As ranking Democrat of the Environment and Hazardous Materials Subcommittee, which has authorization over the leaking underground storage tank program, I will support the policy to fix this piece of legislation.

However, the bill should not mask the failure of the Bush administration and the Republican-led Congress to adequately fund this Federal program. The Leaking Underground Storage Tank program is responsible for protecting groundwater and local drinking water supplies by preventing and cleaning up MTBE and petroleum contamination from leaking underground storage tanks in our communities.

More than a year ago, Congress dramatically increased the funding authorization for the EPA Leaking Underground Storage Tank program to \$605 million annually. This increase was necessary to support additional clean-ups of leaky tanks to ensure States have funding to carry out new inspections, operator training, delivery prohibition, and secondary containment requirements.

However, President Bush proposed a reduction in funding to clean up MTBE and petroleum from the tens of thousands of leaking tanks throughout the country in his fiscal year 2007 budget. The budget which has been approved by the rubber-stamp Congress, in my opinion, is outrageous.

During this time of high gas prices, Americans are being taxed one-tenth of 1 cent for every gallon of gasoline they purchase with the expectation this money will be contributed to the Leaking Underground Storage Tank trust fund and released to help to clean up contamination.

The tax on the American public raises \$190 million every year; and by the end of fiscal year 2007, the trust fund will have a surplus of more than \$2.7 billion.

Yet President Bush only sought \$72.8 million for the clean-up and protection of our water supplies, an amount that the Republican-led Congress said was needed. The amount is nearly \$120 million less than what taxpayers will be contributing next year.

Rather than use this money to clean up contamination and protect water supplies, the administration and Republican-led Congress are holding onto the money to offset the cost of Republican budget priorities, such as tax cuts to the wealthy.